

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 04-30046-MAP
)	
PASQUALE ROMEO,)	
Defendant.)	

**UNITED STATES' MOTION FOR ENTRY OF ORDER
OF RESTITUTION IN LIEU OF FORFEITURE**

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves that this Court issue an Order of Restitution in Lieu of Forfeiture, in the form submitted herewith, pursuant to Title 18, United States Code Sections 3663 and 3664. As reason therefor, the United States submits:

1. On September 9, 2005, a federal grand jury sitting in the District of Massachusetts returned a sixty-nine count Superseding Indictment charging defendant Pasquale Romeo (the "Defendant") and others with Wire Fraud and Aiding and Abetting, in violation of 18 U.S.C. §§ 1343 and 2 (Counts One through Sixty-eight), and Conspiracy to Launder Money, in violation of 18 U.S.C. §§ 1956(h) and 1957 (Count Sixty-nine).

2. The Superseding Indictment also sought the forfeiture, pursuant to 18 U.S.C. § 982, of any property, real or personal, involved in such offenses, or any property traceable to such property.

3. On February 12, 2004, agents seized \$12,643.00 in United States currency (the "Currency") from the Defendant in Springfield, Massachusetts. The Currency is currently in the custody of the Internal Revenue Service.

4. On May 4, 2006, the Defendant pled guilty to Counts Thirty, Thirty-eight, Fifty-nine, and Sixty-nine of the Superseding Indictment.

5. On October 5, 2006, the Court sentenced the Defendant to 36 months imprisonment, and ordered the Defendant to pay restitution in the amount of \$250,000. See Docket No. 301. In addition, the Court ordered that the Currency be applied to the Defendant's restitution obligation. The Currency is currently in the custody of the Internal Revenue Service.

6. In the interests of justice, the United States requests that the Court direct, as set forth below, that the Currency be applied to the Defendant's restitution obligation, in lieu of forfeiture. This will allow the Currency to be returned to the victims of the Defendant's fraud, rather than deposited into the Assets Forfeited Fund.

WHEREFORE, the United States requests that the Court enter an Order of Restitution in Lieu of Forfeiture in the form submitted herewith.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

BY: /s/Kristina E. Barclay
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Date: October 20, 2006

CERTIFICATE OF SERVICE

This is to certify that the foregoing Motion for Entry of Order of Restitution in Lieu of Forfeiture and the proposed Order of Restitution in Lieu of Forfeiture, filed through the Electronic Case Filing system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/Kristina E. Barclay
Kristina E. Barclay
Assistant U.S. Attorney

Date: October 20, 2006